



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/314,644	05/19/1999	PAUL WESCHLER		5490

32658 7590 09/15/2003
HOGAN & HARTSON LLP
ONE TABOR CENTER, SUITE 1500
1200 SEVENTEEN ST.
DENVER, CO 80202

EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 09/15/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/314,644

Applicant(s)

WESCHLER, PAUL

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-8,10-12,14-22,24-28,31-37 and 39 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1,2,5-8,10-12,14-22,24-28,31-37 and 39 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,5 – 8,10 – 12,14 – 22,24 – 28,31 – 36 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,366,916 B1 to Baer et al. in view of U.K. Pat. No. 2,347,766 A to Wilson et al.

As to claim 1, Baer teaches a Reference (“...first argument...” Col. 8 Ln. 1 – 19), a First Service (AMS 30 Col. 4 Ln. 31 – 46, Col. 5 Ln. 7 – 40), a Second Service (Client Application Layer 20 Col. 4 Ln. 31 – 46, Col. 5 Ln. 7 – 40), a Service Connector Interface (Client Adapter Module 300, Client Adapter 705 Col. 5 Ln. 7 – 65, “Creating...” Col. 6 Ln. 15 – 67), invoking the service connector interface (Client Adapter Module 300, Client Adapter 705 Col. 5 Ln. 7 – 65, Col. 7 Ln. 1 – 6), invoking the service connector interface that include instantiating the service connector interface at the second service (Col. 7 Ln. 45 – 67, Col. 8 Ln. 1 – 19), gaining reference to the first service (“...first argument...” Col. 8 Ln. 1 – 19), an Application Program (“...Client Application...” Col. 8 Ln. 1 – 19), step of retrieving a service instance (“...retrieve...” Col. 8 Ln. 1 – 10), obtaining a service reference (“...first argument...” Col. 8 Ln. 1 – 19) and returning the service reference to the second service (“...passed...” Col. 8 Ln. 1 – 10).

Baer is silent with reference to a configuration file.

Wilson teaches a Configuration File (“...alx file...” page 3 lines 4 – 29). It would have been obvious to apply the teaching of Wilson to the system of Baer. One would have been motivated to make such a modification to ascertain the location and versions of software in local or remote systems (page 3 lines 39 – 43).

As to claim 2, Baer teaches the step of developing a computer program module that adheres to the service connector interface (“Creating...” Col. 6 Ln. 15 – 67).

As to claim 5, Wilson teaches the step of specifying a particular version of the first service (page 3 lines 39 – 43, “...#version...” page 4 lines 15 – 35).

As to claim 6, Wilson teaches the step of invoking the latest version of the first service if a particular version is not specified (see Abstract).

As to claims 7 and 8, see the rejection of claim 5 and 6 respectively.

As to claim 10, claims 1 and 4 covers claim 10 except for a distributed environment/local environment.

Baer teaches a distributed environment/local environment (RMI Col. 17 Ln. 33 - 47).

As to claims 11 and 12, see the rejection of claims 2 and 1 respectively.

As to claims 14 – 17 and 32 - 35, see the rejection of claims 5 and 6.

As to claims 18,19,22,31,27,28 and 36, see the rejection of claim 1.

As to claims 20 and 21, see the rejection of claims 2 and 1 respectively.

As to claims 24 – 26, see the rejection of claim 6.

As to claims 39, see the rejection of claims 1 and 5.

Claims 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,366,916 B1 to Baer et al. in view of U.S. Pat. No. 5,872,966 to Burg and further in view of U.S. Pat. No. 2003/0120597 to Drummond et al. and further in view of U.S. Pat. No. 6,553,413 to Leighton et al.

As to claim 37, Baer teaches a Core Profile Engine (AMS 30 Col. 4 Ln. 31 – 46, Col. 5 Ln. 7 – 21), a Distributed Computing Environment (Figure 1 Col. 3 Ln. 40 – 67), an Application Programming Interface (Client Adapter Module 300, Client Adapter 705 Col. 5 Ln. 12 – 65), Plug-in Service Modules (Resources Module 302 Col. 5 Ln. 12 – 65, Col. 16 Ln. 1 – 56), a Pluggable Interface (Schema Adapter Module 301, "...getPlug-in..." Col. 14 Ln. 1 – 47), a Storage Location (Action Paths Col. 14 Ln. 15 – 67, Col. 16 Ln. 1 – 56: NOTE: By using the Action Paths to "identify and request a specific Plug-in" the storage location of the Plug-in would have to be part of the Action Paths), a Service Connector (Schema Adapter Module 301 Col. 16 Ln. 1 – 56) and Identification Factory Plug-in (Plug-in Factory 708/Plug-in 709 Col. 5 Ln. 61 – 65).

Baer is silent with reference to authorization plug-in, authentication plug-in, notification plug-in, log plug-in, group plug-in and replication plug-in.

Burg teaches Notification Plug-in (Plugins 245 Col. 4 Ln. 66 – 67, Col. 5 Ln. 1 – 9), Log Plug-in (Log Plugin 240 Col. 4 Ln. 41 – 67, Col. 5 Ln. 1 – 9). It would have been obvious to apply the teaching of Burg to the system of Baer. One would have been motivated to make such modifications in order to page a user/deliver statistical analysis to technical support and add and retrieve state information to and from a Log Store (Col. 4 Ln. 56 – 58/Col. 6 Ln. 10 – 13).

Drummond teaches Authorization plug-in/Authentication plug-in (Authorization Plug-in 300 page paragraph 0274 – 0276).). It would have been obvious to apply the teaching of Drummond to the system of Baer as modified. One would have been motivated to make such modifications in order to communicate with external hosts (page 29 paragraph 0274).

Leighton teaches Group plug-in/Replication plug-in (“...mirroring...” Col.14 Ln. 40 – 67, Col. 15 Ln. 1 – 7: NOTE: Since the commercial hosting site 35 contains a group of servers that share a common rule like automatic replication, the replication plug-in also implements group-in). It would have been obvious to apply the teaching of Leighton to the system of Baer as modified. One would have been motivated to make such modifications in order to provide on demand replication (Col. 5 Ln. 1 – 5).

Response to Arguments

2. Applicant's arguments with respect to claims 37 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's arguments filed 6/23/03 have been fully considered but they are not persuasive (Referring to claims 1,2,5-8,10-12,14-22,24-28,31-36 and 39).

Applicant argues that the Baer prior art reference “provides no teaching of a second service gaining a reference to a first service in a dynamic manner” because AMC 200 of the client application does know or does not make dynamic calls to the AMS 30. The Examiner disagrees.

If I may draw Applicant's attention to columns 6,7 and 8 lines 20 – 23, 35 – 38 and 1 – 19 respectively. Here Baer clearly and unambiguously provides "...dynamic APIs..." "...run time relationship..." "...run time method..." between the Client Application 10 and the AMS 20 (30) and as result negates Applicant's assertion that AMC 200 of the client application does not make dynamic calls to the AMS 30.

Applicant's argument that the Baer prior art reference does not disclose the steps of retrieving, obtaining and returning a reference to a second service and that the passage cited in the office action (column 8 lines 1 – 19) is for explaining a Login Method 710 are incorrect.

Although Logon Method 710 is cited in the first line of column 8, the passage is not for explaining a Logon Method 710. The passage says that **after a Logon Method 710 has completed** a newSession Method 711 is used to retrieve a "...new instance..." of the IDLSessionInfol interface. The Client Application uses this new instance in conjunction with the AssetType as arguments to retrieve an asset. In essence the new instance is reference used by the Client Application for asset retrieval.

Applicant also argues that the configuration file of the Wilson prior art reference is directed to configuring a printer and as such there is no motivation in Baer to modify its teaching to use a configuration file during the instantiation of its connector adapters. Firstly, the background of the present application discloses finding printer resources/location in a distributed system (page 5 lines 1 – 22). If finding printer resource/location in a distributed system (which is the essence of the Wilson reference) is not analogous to the present application why the discussion in the background?

The Wilson prior art reference is a distributed system that uses a helper application of a client computer to connect to a web server and allows users to access resources remotely and as a result is analogous to both the Baer prior art and the present application.


Also, the configuration file of the Wilson prior art includes fields that indicate the location of a printer object and the version, which is the essence of the present application's configuration file.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**

Charles E Anya
Examiner
Art Unit 2126